

RECEIVED  
San Jose City Clerk

2006 JUN 13 A 11: 53



# MEMORANDUM

TO: Lee Price, City Clerk

FROM: Dave Cortese, Councilmember

SUBJECT: Proposed Input for  
Sunshine Reform Taskforce

DATE: June 13, 2006

APPROVED:

DATE:

6/13/06

As the Sunshine Reform Task Force begins the process of examining our current city rules and regulations and makes recommendations on how to increase transparency and public accessibility, I would like to request consideration of the following ideas:

## **Regulation of Lobbyist Activity**

1. Require filing of lobbyist disclosure reports within 48 hours, or two business days, of the occurrence of reportable lobbying and fundraising activity.
2. Request the City Clerk to make available the reports required in #1 above, real-time on the City of San Jose website, including lobbyist fundraising activities, contributions raised/offered, and solicitations made on behalf of an elected official.
3. Permanently ban former employees of San Jose elected officials from returning to City Hall to lobby their former supervisors.
4. Prohibit former city employees, including elected officials, from registering as lobbyists or providing political consultation services to a registered lobbyist for at least eight years, the equivalent of two terms in office, after they leave City Hall. Former city employees or elected officials should not be able to exert undue influence on public policy.
5. Prohibit registered lobbyists, whose primary occupation is to influence the outcome of legislation, from serving directly or indirectly through others, as fundraisers, treasurers or other campaign employees/consultants for candidates for city office.
6. Require the mayor and city council members to report offers of employment and/or negotiation of future employment with any corporation, organization or

entity that has or anticipates having legislative issues pending before the city council.

**Provide Greater Access to Information and Meetings**

7. Prohibit the city council from voting on any issue if staff reports are not released at least six days before a council meeting to provide citizens a greater opportunity to respond before a final vote is cast.

8. Require all electronic correspondence—including e-mails, voice-over-Internet and calendars of public employees and elected officials—be made available in the City Clerk's office for easier public access. Require the City Clerk to maintain a central point of access to this information, and that of item #7 above, on the City's website.

9. Disclose real estate appraisals used in the purchase or condemnation of property to prevent city government from attempting to take a citizen's property without fair compensation.

10. Waive privilege of deliberative process once a matter has been resolved.

11. Require producing an official transcript of all Council closed session meetings and making that information available after a legitimate reason for secrecy has passed.

**Establish Stronger Enforcement Provisions for Mayor & City Council**

12. Refer possible City Charter, Municipal Code or Brown Act violations to the Ethics Commission.

13. Establish new criminal and civil penalties for elected officials and city employees who violate the City Charter or Municipal Code.

14. Work with the City Council to obtain the authority to initiate termination proceedings against any City Council or Mayor's office employee found to violate the City Charter.

15. Refer to the Santa Clara County Civil Grand Jury any violation of the Charter or any serious ethical violation to seek appropriate reprimand and/or removal from elected office.

**CC: Mayor and City Council**